



RESPONSE UNDER 37 CFR §1.116
--EXPEDITED PROCEDURE--
EXAMINING GROUP 1600

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: HADLACZKY *et al.*

Serial No.: 09/836,911

Conf. No.: 7763

Customer No.: 20985

Filed: April 17, 2001

For: **ARTIFICIAL CHROMOSOMES, USES
THEREOF AND METHODS FOR
PREPARING ARTIFICIAL CHROMOSOMES**

Art Unit: 1632

Examiner: Shukla, R.R.

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"Express Mail" Mailing Label Number

EV 399294487 US

Date of Deposit March 23, 2004

I hereby certify that this paper and the attached papers are being deposited with the United States Postal "Express Mail Post Office to Addressee" Service under 37 C.F.R. §1.10 on the date indicated above and addressed to:

Mail Stop AF
Commissioner for Patents
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

03/23/04

Date

Stephanie Seidman

NOTICE OF APPEAL

Mail Stop AF
Commissioner for Patents
US Patent and Trademarks
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the Final Rejection, dated September 23, 2003, finally rejecting Claims 23-60 of the above-captioned patent application. An Amendment after Final Rejection and a check for the fees for a three-month Extension of time and Notice of Appeal are filed herewith.

The Commissioner is hereby authorized to charge any fee, including any submitted herewith if an attached check(s) is in the wrong amount or otherwise improper or missing, that may be due in connection with this and the attached papers, or with this application during its entire pendency to or to credit any overpayment to Deposit Account No. 06-1050. A duplicate of this sheet is enclosed.

03/26/2004 MAHMED1 00000019 09836911

01 FC:2401

165.00 OP

Respectfully submitted,
FISH & RICHARDSON P.C.

By:

Stephanie L. Seidman
Registration No. 33,779

Attorney Docket No. 24601-4021

Address all correspondence to:

FISH & RICHARDSON P.C.

12390 El Camino Real

San Diego, California 92130-2081

Telephone: (858) 678-5070; Facsimile: (202) 626-7796

EMAIL: seidman@FR.com